

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-22 are pending in this application. Claims 1, 8, 15, and 19 are amended and no claims have been added or cancelled. Claims 1 and 15 are the independent claims.

CLAIM AMENDMENTS

Applicants have amended claims 1, 8, 15, and 19 for clarity purposes and to put these claims more in accordance with current United States Patent and Trademark Office Practice and Procedure. Accordingly, Applicants respectfully submit that all such amendments made to these claims are non-narrowing, have not been made to overcome any prior art rejection, and have been made for none other than the above stated reasons. Furthermore, Applicants respectfully submit that all such amendments to these claims do not raise any new issues requiring further consideration and/or search. As such, Applicants respectfully request entry of this Amendment After Final.

INTERVIEW SUMMARY

Applicants thank Examiner Tran for the telephonic interviews conducted on March 20, 2007 and March 21, 2007. In the interview, the “buffer manager measuring a distance between an earliest point of detected packet jitter in the buffer and a reference point in the buffer” feature present in independent claims 1 and 15 was discussed. The Examiner relied substantially upon arguments previously made on pages 5 and 6 of the Office Action mailed on January 8, 2007 in arguing that the Shlomot reference teaches the above-recited feature. The Applicants’ representative pointed out that in Shlomot, the buffer manager *monitors* content of the jitter

buffer, *sends* control signals to control the flow rate of packets released out of the jitter buffer, and *detects* overflow/underflow within the buffer. It was also pointed out that Shlomot's jitter buffer generates the overflow/underflow signals that are detected by the buffer manager, and that the measuring/computing, if any, is performed by the jitter buffer and not the buffer manager (See Shlomot, col. 5, lines 13-24, col. 6, lines 19-36, and col. 6, lines 50-53).

The Examiner agreed, but pointed out that the terminology "reference point" is vague and not supported by the specification. The Examiner stated that if the terminology "reference point" was amended to provide a more clear meaning in accordance with the specification, then the claims as amended should overcome the § 102 rejection. The Applicants have amended the independent claims as suggested by the Examiner.

Rejection under 35 U.S.C. § 102

Claims 1-22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Shlomot (U.S. Patent No. 6,377,931, hereinafter Shlomot). Applicants respectfully traverse this rejection for the reasons detailed below.

As discussed above, and as agreed by the Examiner, Shlomot does not disclose a buffer manager measuring "a distance between an earliest point of detected packet jitter in the buffer and an earliest packet in the buffer" as recited in amended claim 1 and as similarly recited in amended claim 15.

Claims 2-14 and 16-22, dependent on independent claims 1 and 15, are patentable for the reasons stated above with respect to claims 1 and 15 as well as for their own merits.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection to independent claims 1 and 15 and all claims dependent thereon.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

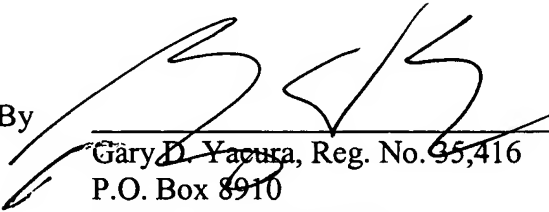
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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